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**Environment Department Releases Proposal for Legally Enforceable LANL
Clean-Up Order; Schedules Public Meeting**

(Santa Fe, NM) – The New Mexico Environment Department (NMED) today released for public comment its proposal for a legally enforceable fence-to-fence clean up of Los Alamos National Laboratory (LANL). This Order on Consent is between NMED, the U.S. Department of Energy (DOE) and the Regents of the University of California (UC).

The proposed Order on Consent requires comprehensive investigation and clean up of environmental contamination at LANL, including remediation of material disposal areas, ground water and other areas of contamination. The Order on Consent also sets a schedule for environmental clean up work, which must be completed by 2015.

“This order will ensure that LANL is held responsible for the environmental contamination it created,” said NMED Secretary Ron Curry. “An enforceable order puts New Mexicans in control of LANL clean up and gives us the power to make sure this important work is completed.”

Governor Bill Richardson, Senator Pete Domenici, NMED and DOE announced general agreement on this clean up order in March. Since then, the technical and legal staffs of the parties have been at work hammering out the details of the document released today.

“Governor Richardson’s efforts and support have been key to reaching this clean up agreement,” said Secretary Ron Curry. “The Governor helped convince Director Nanos to get personally involved in this issue and Nanos’ ability to work with us has been extremely helpful in reaching this agreement.”

“I’d like to thank the Governor for getting the ball rolling between Secretary Curry and myself,” said LANL Director Pete Nanos. “I’d also like to thank Secretary Curry, the staffs of NMED, NNSA and DOE for their hard work on this issue. I hope that this effort will mark the first step in furthering the relationship between LANL and the State of New Mexico.”

From 1943 to the present, operations at LANL have generated, treated, stored, disposed of, and otherwise handled solid wastes, hazardous wastes, hazardous waste constituents, and hazardous wastes mixed with radioactive wastes. Solid, hazardous, and radioactive wastes were disposed of in numerous septic systems, surface impoundments, pits, trenches, shafts, landfills, waste piles and other sites located throughout LANL, which have been classified by NMED as solid waste management units (SWMUs) or Areas of Concern (AOCs). The types of hazardous and solid wastes that have been handled and disposed of include chlorinated and non-chlorinated solvents, high explosives, metals, polychlorinated biphenyls, nitrates, and radionuclides. In several locations, contamination of the regional aquifer (from which Los Alamos County draws drinking water) has occurred. Currently at LANL, over 1900 SWMUs and AOCs require corrective action.

The proposed Consent Order is the result of nearly two years of negotiations between NMED, DOE, UC, and the United States Department of Justice. Its clean up requirements are based on information that past handling, storage, treatment and disposal of hazardous wastes at LANL have caused hazardous waste and hazardous constituents to be released into the environment.

NMED is inviting the public to submit written comments on this Order on Consent during a 30-day public comment period that starts today. NMED will also hold an informational meeting on **Wednesday, September 8, from 7:00 to 9:00 p.m., at the Cities of Gold Hotel, 10-A Cities of Gold Road, Pojoaque**. The purpose of this meeting is to answer questions and inform the public about the proposed Order on Consent.

Members of the public may submit to NMED written comments on the Order at any time during the public comment period, including at the informational meeting. NMED will issue a final Order on Consent after considering all written comments received from the public.

Both the proposed Order and the administrative record may be reviewed at the NMED Hazardous Waste Bureau located at 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6303, Monday through Friday, from 8:00 a.m. to 5:00 p.m. Procedures for submitting written comments and a copy of the draft Order on Consent are also available at the NMED website: <http://www.nmenv.state.nm.us/HWB/lanlperm.html>. Written comments will be accepted until **October 1, at 5:00 p.m.**

After considering all written comments received from the public and all information presented at the public hearing, NMED will issue a final Order on Consent under Section 74-4-10 of the State Hazardous Waste Act to compel DOE and UC to address the possible health and environmental effects of its past operations. The Order on Consent will contain enforceable investigation and cleanup requirements and schedules to address the contamination at LANL.

In addition to this Order, DOE and the U.S. Environmental Protection Agency (EPA) are currently negotiating a Federal Facility Compliance Agreement (FFCA) that will govern surface

water monitoring at LANL. This agreement will ensure that the surface water monitoring needed to protect the quality of New Mexico's waters is completed.

"Surface water clean up and monitoring are a key piece of this holistic LANL clean up," said Secretary Curry. "As such, I will not sign the final order until this surface water agreement is completed. The state is now in the process of investigating the acquisition of this surface water enforcement authority from EPA. The LANL issue is a perfect example of why we need this power here in New Mexico. If we had surface water primacy today, we wouldn't need this side agreement and New Mexicans would be in better control of their own water quality."

LANL is owned by DOE, and DOE and UC are co-operators of the facility. LANL comprises 49 current and former Technical Areas covering approximately 40 square miles. Directly east of LANL are Los Alamos County, the Rio Grande and the sovereign lands of the Pueblo of San Ildefonso. Municipal supply wells for Los Alamos County are located within the LANL boundary and the City of Santa Fe's Buckman Well Field is located to the east of LANL across the Rio Grande. LANL also borders land administered by the U.S. Bureau of Land Management, U.S. Forest Service, and U.S. National Park Service lands.

For additional information, please contact James Bearzi, Chief, NMED Hazardous Waste Bureau, at (505) 670-4742, or Jon Goldstein, NMED Communications Director, at (505) 827-0314.

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